

**FILED**

OCT 06 2000

Case No. 99-09162-ECF-GBN

KEVIN E. O'BRIEN CLERK

UNITED STATES  
BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

Debt or.

Adversary No. 99-00886-GBN

NOTE :

ALL PLEADINGS WITH REGARD TO THIS  
MATTER MUST BE IDENTIFIED BY BOTH THE  
ADVERSARY NUMBER AND THE CASE NUMBER.

Plaintiff(s),

V.  
LEEWARD HOTELS, L.P.  
KILBURG HOTELS, L.L.C.

Defendant (s) .

ORDER RE: POTENTIAL DISMISSAL

\_\_\_\_ The above-captioned adversary proceeding has been commenced by the plaintiff or party filing a Notice of Removal without the payment of the \$150.00 filing fee in full as required by 28 USC §1930. IT IS ORDERED that the plaintiff or party filing the Notice of Removal pay the required \$150.00 filing fee or balance thereof within 10 days of the date of this order. Failure to pay the filing fee shall result in dismissal of this adversary proceeding or remand of removed proceeding without further notice.

There having been no proceedings for 6 or more months in the above captioned adversary proceeding, IT IS ORDERED that the parties to this action file a request for a status hearing at which good cause must be shown why this adversary proceeding should not be dismissed for want of prosecution. Any request for a status hearing shall be filed no later than 20 days from the date of this order. If no such request is timely filed, this proceeding shall be dismissed for want of prosecution.

\_\_\_\_ No proof of service of the summons and complaint has been filed. Therefore, it appears that the plaintiff has failed to make service within 120 days after the filing of the complaint. IT IS ORDERED that the above-captioned adversary will be dismissed unless the plaintiff files a motion for an extension of time to make service setting forth good cause why service has not been made and submits a form of order granting the extension. The motion and form of order shall be submitted within 20 days of the date of this order.

The above captioned adversary proceeding has been filed in a case which has been dismissed or closed. IT IS ORDERED that no further action will be taken until the case is reopened or reinstated. If a motion to reopen or to reinstate is not filed within thirty days of the date of this order, this adversary proceeding shall be dismissed.

Dated: Oct 6, 2000

U.S. Bankruptcy Judge

Copies Mailed *12 13-62* to:

Atty Plaintiff: BRYAN A. ALBUE, 3003 N. CENTRAL AVE., #2600, PHOENIX, AZ  
85012-2913

Atty Defendant: ,